

Freedom of the Press

While press freedom is not explicitly guaranteed in the constitution, clauses safeguarding freedoms of speech and expression undergird extensive legal protections for media outlets, and the government generally respects these freedoms in practice. However, the constitution contains a number of provisions concerning national security, public order, and public morality that can be used to limit press freedom.

Journalists have increasingly faced civil defamation suits from public officials and others. In April 2013, Choppies, a Gaborone-based multinational grocery retailer, filed a suit seeking 100 million pula (\$11.45 million) from the *Mmegi* newspaper for an article questioning a number of the company's business practices. In late September, *Mmegi* issued a joint statement with Choppies that "clarified" the business practices, establishing that none were unethical or unlawful; the statement was seen by some as an apology. President Ian Khama announced in December that individual government officials would be able to use state funds to launch defamation suits against the media, citing what he said was the "growing slander now being directed against members of the executive, including senior government officials, who are subjected to personal attacks for carrying out their public duties." The initiative effectively circumvents Botswana's prohibition on government ministries, as entities, initiating such suits. Press freedom advocates warned that publicly funded lawsuits could increase self-censorship among cash-strapped media outlets.

Access to public information remains a major problem for journalists. The ruling Botswana Democratic Party (BDP) postponed a parliamentary vote on a proposed freedom of information bill on multiple occasions during 2013. After initially deferring the motion, Parliament voted in late July to allow the national broadcaster, Botswana TV, to televise parliamentary sessions live.

The 2008 Media Practitioners Act called for the establishment of a statutory media oversight body and mandated the registration of all media workers and outlets—including websites and blogs—with violations punishable by either a fine or prison time. The minister of communication would be able to exert significant influence over a new Media Council's handling of complaints against outlets and journalists through control of key committees. Although passed by the legislature, the act has not entered into force due to legal challenges by opponents, including a 2010 lawsuit by 32 individuals and groups representing media outlets, nongovernmental organizations (NGOs), and trade unions. A final ruling on the law's constitutionality was still pending at the end of 2013.

In 2012, lawmakers adopted the Communications Regulatory Authority Act, which merges regulation and licensing of both the telecommunications sector and broadcast media under the Botswana Communications Regulatory Authority (BOCRA). BOCRA began operating in April 2013, but board members were not appointed until October. Critics expressed fear that the legislation favors state-owned media and may be used to monitor personal communications and social networks.

The government occasionally censors or otherwise restricts news sources or stories that it finds undesirable. In 2010, coverage of a split in the BDP and the resulting formation of the Botswana Movement for Democracy (BMD) party was conspicuously absent from state-run radio and television broadcasts, and journalists were discouraged from interviewing BMD leaders. Under Khama, government relations with the press have worsened significantly, and Khama has not held a domestic press conference

since taking office in 2008. In June 2013, the government suspended Sakaeyo Jannie as head of Botswana TV. Media in Botswana claimed that Jannie had refused to comply with an official's request to stage a video clip that would benefit the president; the official investigation against Jannie alleged "insubordination, misconduct, and absconding from work." Fear of reprisals for coverage that is critical of the government has reportedly led to increased self-censorship in recent years.

Journalists can generally cover the news freely and are seldom the targets of attacks, though negative government rhetoric and instances of harassment have grown more common. In late November 2013, photographer Tshekiso Tebalo of the *Midweek Sun* was struck by an official after a scuffle broke out at the end of a professional football game. However, Tebalo later told the Media Institute of Southern Africa (MISA) that the official had apologized and said the attack was an accident.

State-owned outlets dominate the broadcast media, which reach far more residents than the print media but provide inadequate access to the opposition and government critics. The private Gaborone Broadcasting Corporation television system and two private radio stations have limited reach, though Botswana easily receives broadcasts from neighboring South Africa. Botswana began the switch from analog to digital broadcasting in 2013, and by June radio reception was reported to have increased to 95.23 percent, while Botswana TV reached 85 percent of the population. The country does not have licensed independent community radio.

The government does not restrict internet access, though such access is rare outside cities, with 15 percent of the population using the medium in 2013. Penetration is limited mostly by the high cost of connections and equipment. According to the 2013 World Economic Forum's *Global Information Technology Report*, only 6.5 percent of people in Botswana live in a household with a computer, and only 2 percent have internet access at home.

A free and vigorous print sector thrives in cities and towns, with several independent newspapers and magazines published in the capital. The widest-circulation newspaper, the state-owned *Daily News*, is free to readers and is generally the only newspaper available in rural areas. There are currently 13 private newspapers, but they are mainly accessible in Gaborone. High printing costs and limited distribution networks mean that independent papers usually have modest press runs. As of 2013, there was only one broadsheet printer in the country, Printing and Publishing Company Botswana (PPCB), which is reportedly owned in part by senior BDP figures. In January 2013, the PPCB refused to print the *Patriot on Sunday* due to an article that cast a negative light on a ruling party official.

The media rely heavily on advertising, and editorial accommodations are made for major buyers. The government has restricted state advertising in private newspapers that are deemed too critical of the government, and has even made unsuccessful efforts to ban private advertising in *Mmegi* and the *Sunday Standard*.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

Legal Environment

(0 = best, 30 = worst)

11

Political Environment

(0 = best, 40 = worst)

17

Economic Environment

(0 = best, 30 = worst)

13